

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**CHRISTOPHER MICHAEL)
BROOKS,)
PETITIONER,)
vs.) **CASE NO. 1:07-CV-505-MHT**
)
)
**JAMES DELOACH, WARDEN,)
et al.,)
RESPONDENTS.)****

**MOTION FOR CLARIFICATION OF CONFLICT DISCLOSURE AND
MOTION TO STAY**

Come now the Respondents, by and through the Attorney General for the State of Alabama, and hereby request this Court to clarify the scope of the required Corporate Disclosure/Conflict Statement. In addition, the Respondents request this Court, if necessary, stay the time in which to file the Conflict Statement until issuance of the clarification.¹

This Court's Order 00-3047, as discussed in the June 28, 2007 "Notice of Deficiency Regarding Corporate/Conflict Statement" issued in this case, mandates that "[a]ll parties (including individuals and government entities) . . . file

¹ A similar motion has been filed by Respondents Attorney General Troy King and Warden Ralph Hooks in Landers v. Hooks, 2:06-cv-00975-MEF-SRW, currently pending in this Court.

a statement identifying" various entity and trust relationships "that could potentially pose a financial or professional conflict for a judge." In actions brought by state prisoners under 28 U.S.C. § 2241 and 28 U.S.C. § 2254, the named Respondents answer on behalf of a single governmental entity, the State of Alabama. Thus, it would seem that Order 00-3047 requires a list of "all parent companies, subsidiaries, partners, limited liability entity members and managers, trustees, affiliates, or similar entities" of the State, rather than the individually named Respondents.

In an abundance of caution, however, the Respondents request this Court issue an order formally clarifying whether Order 00-3047 requires the disclosure of financial and/or professional relationships in habeas corpus cases (both under 28 U.S.C. § 2241 and § 2254) by the State or by the individually named Respondents (i.e., Attorney General Troy King and Warden James Deloach). The Respondents further request that this Court, if necessary, stay the time for filing the required Conflict Statement until issuance of the requested clarification. See Fed. R. Civ. P. 6 (b).

Respectfully submitted,

Troy King(KIN047)
Attorney General

By:

/s/Marc A. Starrett
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CERTIFICATE OF SERVICE

I hereby certify that on this the 9th day of July, 2007, I electronically filed the foregoing, and I hereby certify that I have mailed by United States Postal Service the document with all exhibits to the following non-CM/ECF participant:

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